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UNITED STATES DEPARTMENT OF AGRICULTURE

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Subject: Administration of the Bankhead-Jones Act.

TO THE DIRECTORS OF THE AGRICULTURAL EXPERIMENT STATIONS:

The Bankhead-Jones Act, providing for research into basic laws and principles relating to agriculture and to provide for the further development of co-operative agricultural extension work and the more complete endowment and support of land-grant colleges, approved June 29, 1935, places responsibility for administration of the research features of the Act upon the Secretary of Agriculture. Title I of the Act, in so far as it deals with research by the agricultural experiment stations, will be administered by the Office of Experiment Stations, designated to represent the Department of Agriculture in all matters relating to the administrative details in the expenditure of the funds allotted, and to aid in the promotion of research activities under this Act and their coordination with other agricultural research following the same general relationships now followed in the administration of the Hatch, Adams, and Purnell Acts.

The major underlying purpose of Title I of the Act, which deals with research, is to provide more adequately for thoroughgoing coordinated research into laws and principles underlying basic problems of agriculture in its broadest aspects, and research along defined lines into other features of agriculture. While the broader authorization as to lines of work for which the funds may be expended, as set forth in Section 1 of Title I, will be the basis for decision as to eligibility of projects, every effort should be made to formulate and develop a strong coordinated program of research basic to major problems of agriculture.

In this connection attention is directed to provisions of the Act making available a "Special Research Fund" for expenditure by the Department of Agriculture and to the language of Title I, Section 2, which authorizes and directs the Secretary of Agriculture to encourage research by the State stations similar to that authorized for the Department.

The annual appropriation act of the Department of Agriculture also provides that the Secretary of Agriculture shall coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations. Therefore, the desirability of selecting subjects for study and of organizing research at the experiment stations under the Bankhead-Jones Act, so that the work may be logically and effectively coordinated, so far as practicable, on a regional basis with similar research being conducted or contemplated by the Department of Agriculture seems apparent. The Office of Experiment Stations will be expected to advise and assist the experiment stations in this respect to the fullest extent possible in order that advantage may be taken of the larger organization and more adequate facilities incident to integrated and coordinated attacks of this character within regions on common basic problems of agriculture.

The new Act specifies in Title I, Section 1, that the research authorized to be conducted by the Department of Agriculture shall be in addition to research provided for under existing law, but that both activities shall be coordinated so far as possible. While this limitation appears not to apply as strictly to the experiment stations, at the same time it is felt that the provision is applicable to the extent that research initiated under the new Act might well be directed to a study of those basic laws and principles which must be better understood before there can be permanent solution of practical problems now under study. In this same connection, the Act also specifies in Title I, Section 3, that sums appropriated for agricultural research to be conducted by the experiment stations shall be in addition to and not in substitution for sums appropriated or otherwise made available for agricultural experiment stations.

Considering the present needs of agriculture locally, regionally, and nationally for a greater body of basic facts and principles upon which to build sound agricultural practices, these would appear to be wise provisions. Following the maturity of the Adams Act in 1911, there was an increasing recognition of the need for making greater use of results of scientific research in the service of agriculture and rural life. The efforts by the stations to accomplish this without lowering scientific standards or interfering with unbiased search for fundamental facts have been noteworthy but not wholly encouraging in many instances. Even in some of the better financed experiment stations this situation has been acute, owing to the frequent practice of earmarking State appropriations, thereby confining their use largely to practical adaptation and service application of the results of research. In the light of the more rigid modern needs of agriculture based upon regional and national concepts of efficient and economical production, research is necessarily being forced into consideration of causes of observed phenomena and the principles governing their manipulation and integration into useful practices. Accordingly modern research cannot be content with empirical observations and results, either in the production or in the economic fields. The new Act, and especially the provisions noted above, would seem to encourage this fundamental consideration by specifying that the funds authorized are available for basic research and also by prohibiting their substitution for the appropriations already provided for the support of research. In this respect, the Act appears to offer special encouragement and support for the type of research into problems of agriculture which many of the stations have heretofore felt unable to undertake with the limitations and restrictions placed upon their resources.

For example, the field of pasture development is revealing aspects of both regional and national importance. It is bristling with widely applicable fundamental problems of plant breeding and genetics, soil fertility, animal nutrition, economics, and the like, most of which have necessarily remained practically untouched in their broad aspects. Similarly, the fields of animal production and animal diseases include many uncharted areas of fundamental character which have served as barriers to most effective production and control or cure of disorders of considerable economic importance, both regionally and nationally. Other important fields of research might be mentioned where, of necessity, major effort in the past 25 years has been devoted to empirical testing and experimentation and in which permanent progress has been retarded by the lack of adequate attack on the fundamental aspects.

The new Act appears to open the way to acquire some of this important foundation knowledge which is now lacking! The wisdom of careful analysis of experiment station programs, locally and by regions, to identify the more important basic problems of agriculture is obvious. A high degree of coordinated research effort within stations and between stations in regions seems essential to the best use of the new fund, especially in view of its present rather limited amount and the manner of its distribution. For these reasons, also, coordination with similar work, which the Department of Agriculture may undertake under the new Act or under its current appropriation, would seem to be a worthwhile objective, not only from the standpoint of the provision of more adequate facilities and a broader and more mature point of view, but also with the prospect that effective results from the new work may thereby be made available more quickly than through the necessarily more limited efforts of individual institutions.

Section 5 (a) of Title I provides that no allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which the State or Territory makes available for such fiscal year out of its own funds for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. There is further provision that any sums withheld by the Secretary through failure of any State or Territory to provide the necessary offset under the above provision may be allotted by the Secretary, with certain limitations, to other States or Territories which have provided funds from State sources in excess of the amount of the Federal allotment under the Act for the fiscal year in question. To administer these provisions wisely and effectively will require a high degree of cooperation. Each State and Territory should file adequate information with the Office of Experiment Stations far enough in advance of June 30 each year to enable the Secretary of Agriculture properly to ascertain and certify to the Secretary of the Treasury on or before July 1 the amount that each is entitled to receive the succeeding fiscal year, beginning July 1, under the Bankhead-Jones Act. Such statements may provide only estimates as to offset funds in case the respective legislatures have not acted upon appropriations for the experiment station by the time adequate information must be filed with the Office of Experiment Stations. However, inasmuch as payments to the States are to be in accordance with the general provisions of the Hatch Act, which authorizes deductions from the succeeding fiscal year to cover disallowances during the closing year, certification to receive the Federal allotments can be made on the basis of acceptable estimates of offset funds subject to adjustment through quarterly payments within the year and final adjustment, if necessary, in the first quarterly payment of the succeeding year.

Section 3 of Title I provides that "sums appropriated in pursuance of this title shall be in addition to, and not in substitution for, appropriations for research or other activities of the Department of Agriculture and sums appropriated or otherwise made available for agricultural experiment stations". It seems obvious that Congress, in thus specifying that sums mentioned in the new Act, when appropriated, must be in addition to, and not in substitution for, sums appropriated or otherwise made available for agricultural experiment stations, meant that it would be using the Bankhead-Jones funds "in substitution" if a State should fail to provide funds for a phase of research work formerly financed by funds available

from any or all State sources and the Bankhead-Jones funds were used for such research. Here again a high degree of cooperation will be imperative in carrying out this provision of the Act. The representatives of the Office of Experiment Stations necessarily will be expected to ascertain, with care, that funds from State sources have not been reduced and funds from this new Act substituted therefor in a manner contrary to the provisions of the Act. Funds from State sources, as indicated in the provision quoted, will include, in addition to State appropriations for research, sales funds derived from research activities and properly belonging to the experiment stations, fees, gifts, cooperative contributions, allotments of institutional funds, and funds from any other source for research by the agricultural experiment station. The wording of the above provision is such that similar care necessarily will be exercised to avoid substitution of the Bankhead-Jones funds for other Federal-grant funds of the Hatch, Adams, and Purnell Acts and the use of the released funds in any way which might be interpreted as substitution resulting in a reduction in the financial support for research. Should evidence develop that the Bankhead-Jones Act funds have been used "in substitution", the Secretary of Agriculture will be obliged to consider action appropriate to the individual case in certification as to the amount of subsequent allotment to which the State is entitled.

The Act provides that the moneys appropriated for agricultural research shall be available also for the purchase and rental of land and the construction of buildings necessary for conducting the research provided for in the Act, for the equipment and maintenance of such buildings, and for printing and disseminating the results of research. The language of the Act is such that expenditures for these purposes are limited to those necessary for conducting the research financed under the Bankhead-Jones Act funds. While the authorization for printing and disseminating the results of research might seem to apply in a broader sense than results of research financed by the Bankhead-Jones Act, such a broader interpretation obviously is not the intent and purpose of the Act. The publication of results of research is regarded as the completion of the research. The Bankhead-Jones Act provides specifically that the new funds made available are in addition to, and not in substitution for, funds otherwise made available for agricultural experiment stations. Individual cases will arise where results of research are the joint product of work under Bankhead-Jones funds and work under other funds. Use of the Bankhead-Jones funds for publication in such cases may be warranted. The use of Bankhead-Jones funds for publication of results clearly the product of research on other funds will necessarily be considered in the nature of a substitution of funds and not in accordance with the provisions of the Act.

With the foregoing statements relative to interpretation, intent, and purpose of the Act, the following more specific points, supplementing the general regulations set forth in U. S. D. A. Miscellaneous Publication No. 202, "Federal Legislation, Rulings, and Regulations Affecting the State Agricultural Experiment Stations", will be a guide in the payment, administration, and use of the Bankhead-Jones funds:

(1) Payments of the allotments of funds authorized in Title I, Section 5, of the Act, will be made only to the treasurer or other officer of the experiment station duly appointed by the governing board of the college to receive the same, whose duty it will be to receive and bank the funds, account

for them to the director, and account for the interest accrued on them annually. The director of the experiment station, in relation to these funds, is expected to have full authority and responsibility for their budgeting, expenditure, and accounting, and for determining the details of the research program conducted with them, similarly as with the Hatch, Adams, and Purnell funds. Also, the director will be expected to assume full responsibility for the manner in which the Bankhead-Jones funds will be offset, as required by the Act, and for determining the research for which such offset funds are to be made available. The Office of Experiment Stations will deal with the director in regard to all such matters.

(2) Since the Act specifies the purpose for which the funds authorized may be expended, it is expected that the program of research so financed will represent definite pieces of investigation of substantial character relating to the lines specified in Title I, Section 1. Conforming to this principle, these funds will be administered on the same general plan as that followed with the Adams and Purnell funds, namely on the basis of a program of specific projects and budget for expenditures, to be submitted annually in advance to the Office of Experiment Stations for consideration and discussion on or before June 15 of each year, in order that a full understanding and agreement may be reached. All projects supported partly or wholly from the Bankhead-Jones funds, therefore, should be submitted in outline in advance for examination and approval as to their suitability to the new appropriation.

(3) It will be expected that expenditures from the Bankhead-Jones fund will be limited to those considered necessary for specific investigations along the lines provided for in the Act, with such charges for special buildings and land as are necessary and pertain directly to research conducted under the provisions of this Act, and for publishing results of research resulting in whole or in substantial part from expenditures under this Act.

(4) An annual financial report on the manner in which each State and Territory has expended its allotment of the Bankhead-Jones fund and the offset funds thereto specified by the Act will be required, this to be of the same character as that required for the Hatch, Adams, and Purnell funds and rendered on the same blanks with them. Therefore, the Bankhead-Jones fund cannot be pooled with other funds. A separate account of the fund must be kept. This account, as in the case of Hatch, Adams, and Purnell funds, should be a current one, supported by a set of vouchers, similar to Adams and Purnell vouchers, and corresponding claims with evidence of their payment, readily available on due notice for examination by the Chief of the Office of Experiment Stations or his accredited representative. All vouchers and claims should bear the approval of the Station Director or his authorized representative. The classification of expenditures from the Bankhead-Jones fund will be on the same basis as for the Hatch, Adams, and Purnell funds.

(5) Where the support of projects initiated under the Bankhead-Jones Act is shared in by other funds, it should be possible to show quite definitely what the Bankhead-Jones fund is being used for.

(6) The Act not only authorizes the provision of additional funds for specific lines of research, but also authorizes substantial contributions of funds for the support of extension work and the teaching activities of the land-grant colleges. It also authorizes the expenditure of the research funds by the State agricultural experiment stations established in pursuance of the Hatch Act. Thus it recognizes the existence in each State of an experiment station with an effective organization, established administrative procedure, buildings, lands, and other basic facilities already available for research. Under the circumstances, therefore, there would appear to be no justification for encroachment by the land-grant colleges upon the time and energies of research staffs, research facilities, or research equipment of the experiment stations. It is expected, therefore, that general and overhead expenses, such as apply to administration and upkeep and the care of buildings and grounds, and of college teaching and extension work will be cared for without drawing upon the Bankhead-Jones fund. Similarly, expenditures for the maintenance of experimental farms and livestock and other ordinary expenses for the maintenance of facilities for research should not be made from the Bankhead-Jones fund, except in so far as they specifically apply to the support of research projects approved under this Act. Accordingly, the Office of Experiment Stations, in its administrative relationships with the experiment stations, will be expected to scrutinize closely all salaries and parts of salaries paid from the Hatch, Adams, Purnell, and Bankhead-Jones funds, particularly those salaries paid jointly by the station and the college, to insure that the station work receives a full measure of the time and energy of specialists assigned to it with due regard to the character, scope, and productiveness of the work itself as projected. Expenditures from these funds for research supplies, equipment, and other facilities, including especially buildings, land, livestock, and the maintenance thereof, likewise will be scrutinized carefully to insure that such expenditures are limited to the legitimate needs of the research programs of the stations.

(7) Title I of this Act states that the sums appropriated shall be in addition to, and not in substitution for, sums appropriated or otherwise made available for agricultural experiment stations. There is no provision for relieving the States or Territories during any fiscal year of the responsibility of supporting research already in operation and which is being financed for that fiscal year from funds of non-Federal origin. This applies to all funds of non-Federal origin used by the station in support of its research, including gifts, grants, endowments, fees, and sales income. It is therefore not permissible to transfer research projects already supported from funds of non-Federal or other origin to the Bankhead-Jones fund with the idea of reducing the State support to the research program of the station for any fiscal year.

(8) It will be necessary for each station to submit evidence satisfactory to the Department as to the amount of offset funds which will be made available for research from other than Federal sources for each fiscal year. Such evidence must be submitted by each experiment station, on forms which will be provided by the Office of Experiment Stations, not later than June 15 of each year, in order that certification of the station to the Treasury to receive the allotment of funds provided for in the Act may be made in due time. At the time of the annual

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official examination of the work and expenditures of each experiment station by the Office of Experiment Stations for any fiscal year, it will be expected that evidence of the expenditure for agricultural research of an amount of funds from other than Federal sources, equal to the amount of Bankhead-Jones funds expended during the year, will be submitted for verification in detail.

Sincerely yours,

Henry A. Waller

Secretary.

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